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ABSTRACT

Presented alphabetically by state is information regarding the legal and administrative procedures for the transportation of exceptional children in public school programs as of June 1, 1973. It is noted that general state law often extends specific authority to the handicapped, while the prime modus operandi for transportation is often contained elsewhere in the law without specific designations for the handicapped. Information is usually given for the following categories: eligibility, transportation services, transportation modes, personnel, equipment and safety devices, state aid, and capital outlay aid. It is reported that most states provide transportation only to children unable because of their handicap to ride regular school buses; that most states provide transportation to handicapped children attending special day classes and regular classes within the public school system, that the most common method of transporting handicapped children is a special vehicle owned and operated by the school district, that a few states fund personnel to serve as attendants on vehicles transporting handicapped children, that a few states require special equipment or safety devices for the transportation of handicapped children, that most states provide between 70 and 80% of the cost of transporting handicapped children apart from other school children, and that a few states have special capital outlay provisions for the purchase of special vehicles and other equipment needed to transport the handicapped. (DB)

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LEGAL AND ADMINISTRATIVE PROCEDURES RELATING TO THE TRANSPORTATION OF EXCEPTIONAL CHILDREN

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As the opportunities for handicapped children to receive an education expand in the United States, there is an increasing awareness that the degree and quality of this expansion is heavily dependent on the activities of government at all levels and in all branches -- executive, judicial, and legislative. Recognizing government's crucial role in the expansion process and the information needs of persons or agencies involved in or considering change, The Council for Exceptional Children through a grant from the Bureau of Education for the Handicapped, U.S. Office of Education established the State-Federal Information Clearinghouse for Exceptional Children (SFICEC) to provide this information.

The purpose of SFICEC is to identify, acquire, process, selectively retrieve, and disseminate information pertaining to government and the education of handicapped children. In carrying out this charge, SFICEC has developed a computer-based information system for the efficient and accurate retrieval of information.

To disseminate this information, SFICEC develops and distributes information products with material drawn from its data base. The products focus on specific areas pertaining to government and the education of handicapped children and utilize information from the law, administrative literature, attorney general's opinions and actual litigation. Other products discuss key issues and areas of concern to educators, parents, and public policy makers. In addition, SFICEC is also prepared to conduct searches to answer individual specific information requests.

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Alan R. Abeson, Director

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Increasingly as the states examine and modify their laws pertaining to the education of the handicapped, consideration is being focused on many of the elements that are required to enable programs to occur and effectively develop. One of the elements most often receiving this attention is transportation. To provide background information of the present patterns of law and regulations dealing with transportation of the handicapped, the State-Federal Information Clearinghouse for Exceptional Children (SFICEC) analyzed the laws and administrative regulations of the states.

It is important to emphasize that these findings are based on state law and administrative regulations and not necessarily reflect the transportation procedures utilized by state or local education agencies. This is a particularly relevant point when considering transportation since general state law often extends specific authority to the handicapped but the prime modus operandi for transportation is contained elsewhere in the law without specific designations for the handicapped.

The categories that were utilized to study transportation are: (1) eligibility; (2) transportation services; (3) transportation modes; (4) personnel; (5) equipment and safety devices; (6) state aid; and (7) capital outlay aid.

The first category, eligibility, looks at what handicapped children must do in order to receive transportation services. Most states as in Alabama provide transportation only to those children who are unable because of their handicap to ride regular school buses. Approximately 10% of the states as typified by Georgia require that a child be enrolled in a special education program if he is to be provided special transportation. Thus, a physically handicapped child in a wheelchair attending a regular program would not be eligible for special transportation in these states. In some instances a child is excluded from transportation services if he is so handicapped that he requires concentrated attention while on the vehicle. In Ohio, severely multi-handicapped children who require the driver to leave his driving position for extended periods may, after consultation with the parents and administrator be excluded from transportation services. Thus, a child could be excluded from education because of his inability to get to the facility. In the case of physically handicapped children, most states waive the minimum distance requirements made for children in regular education programs to be eligible for transportation. The distance requirement may be waived for other disabilities also.

The second category, transportation services, focuses on the settings for which transportation may be provided and is eligible for state reimbursement, i.e., home to school, school to therapy, etc. Most states provide transportation to handicapped children attending special day classes and regular classes within the public school system. The distance limitations are waived for handicapped children with the exception of the state of Washington which does not require transportation for handicapped children living within two miles of the school.

Only a small percentage of states will fund transportation to provide children with preschool or work experience programs. In Connecticut, for example, transportation is furnished to children attending work experience programs, special programs in other

school districts, or approved private programs. Over 30% of the states specifically provide for services to public schools in another district. Though more than 30% of the states will transport deaf and blind children to residential programs in in-state and out-of-state schools such as Kentucky, almost no information is given concerning children with other disabilities attending residential schools.

Transportation modes, the third category, focuses on the methods that school districts may utilize to transport handicapped children whether by public school buses, contracts with private companies, or parental provision of transportation. The most common method of transporting handicapped children is a special vehicle owned and operated by the local school district. In some cases handicapped children who are able will be reimbursed when using public carriers. In many cases when reimbursing transportation to work experience or pre-school programs services may be contracted through commercial firms or parents may be reimbursed when providing the services themselves. In these cases when transportation reimbursement is provided to children attending residential schools, the parents may provide the transportation themselves or utilize public carriers such as airlines and be reimbursed by the district as in Alaska.

The fourth category, personnel, looks at the limited number of states that fund personnel to serve as attendants on vehicles for transporting handicapped children. Two states utilize adult aides and one uses older students. One of these states, Delaware, allows an aide on vehicles other than buses such as station wagons if the rider is either blind or nonambulatory.

The fifth category, equipment and safety devices, applies only to those laws or regulations dealing exclusively with the handicapped. Thus state laws requiring seat belts on all school buses would not be included in this report. A minimal number of states make provisions for such equipment as hydraulic lifts for wheelchairs in buses for the physically handicapped. Only one state, Rhode Island, requires seat belts on vehicles for the physically handicapped. Ohio is the only state which has a requirement for inspecting equipment to insure that it is "safe and fit" for transporting mentally retarded children.

State aid, the sixth category, discusses the various ways that states assist in the funding of transportation of handicapped children. In most states special transportation is provided for handicapped children to ride apart from other school children, and when it is, a large part of the cost is borne by the state. Reimbursement ranges from 50% to 100%, with the average falling in the 70 - 80% range. A few states have a sliding scale for reimbursement, and some are reimbursed on a unit cost basis, which varies widely from state to state. When transportation is funded on a unit basis, the amount each state pays varies annually. In some cases such as in Kansas a ceiling is put on the amount of the reimbursement.

The last category, capital outlay, focuses on states which provide financial assistance in purchasing special equipment for the transportation of handicapped children. The laws and regulations summarized in this document again apply only to those specifically for the handicapped. If states as a matter of course assist in the purchase of all transportation

vehicles and thus those for handicapped children, these laws are not included. Alaska and Maine provide for a percentage basis reimbursement at the same level as other transportation expenses. In Tennessee, the state department pays the total amount required for special vehicles and other equipment needed for transportation of the handicapped.

It must also be emphasized that although the material in this document is as current as possible, the constant updating and revision of law and regulations may render some of the material out-of-date.

ALABAMA

PLANNING

State: The state board of education was to have adopted in 1971 guidelines of exceptional children for suitable five-year incremental plans for implementation of the programs for various types of typical situations encountered by school boards.

Local: In 1971 each school board was to have conducted a thorough survey of persons who would probably qualify as exceptional children, indicating each child's name, age, sex, and type of exceptionality. Within 120 days after completing the census, each school board was to have adopted an incremental five-year plan, beginning with the September 1972 school year, which implements a program of appropriate instruction and special services for resident exceptional children including a procedure for obtaining their certification by a specialist.

After adoption, the plan will be submitted to the state board of education for approval or disapproval in accordance with state board regulations. If it is approved, the school board must abide by it. Modifications of the plan must be approved by the state board. If the state board of education disapproves the plan, representatives of the state board will consult with the district in an effort to formulate a plan which can be approved. Plans and/or amendments will be disapproved only because minimum state board standards are not met. Reasons for disapproval must be stated.

If no plan can be agreed upon, the state board shall provide a plan which becomes binding unless the local board files, within 30 days, a suit in the circuit court of Montgomery County to restrain the enforcement of the plan on the grounds that it is arbitrary, impracticable, detrimental to the education of exceptional children, or invalid. Only the specified court will have jurisdiction on these suits. All suits will be given a preferred setting.

The state board of education has the primary responsibility for enforcing compliance of the plans. If any local board fails or refuses to carry out its duties, the attorney general when requested by any private citizen shall bring civil suits in Montgomery County to require that such duties be performed.

During the fifth year of implementation of the incremental five-year plan, each school board must submit a long-range plan, providing appropriate instruction and special services to exceptional children. Long-range plans are binding unless modified with state board approval. Such plans and modifications must be resubmitted to the state board of education for approval or disapproval at established intervals, but not less often than once every seven years or more often than once every two years.

Procedure for approving or disapproving, establishing and/or enforcing long-range plans will be in the same manner as for the incremental five-year plans. The long-range plan must include provisions for : (1) establishment of special education classes, instruction, curricula, facilities, equipment, special services, utilization of teachers and other personnel; (2) attendance requirements for exceptional children; (3) services for exceptional children whose condition will not permit them to profit or benefit from any kind of school program such as day care, recreation programs, and other services and facilities, and (4) payment of tuition and other costs for attendance at appropriate semi-public or private schools or institutions which provide appropriate services for all exceptional children such as the Children's Center in Montgomery and the Opportunity Center School in Birmingham.

ALABAMA

ELIGIBILITY

Children must be unable to ride regular buses.

TRANSPORTATION SERVICES

Public day school

STATE AID

Districts may receive, in place of the usual amount authorized by law, 80% of the cost of transportation for each bus used exclusively for the purpose of transporting eight or more exceptional children. A proportionate amount will be allowed for a vehicle used exclusively for transporting fewer than eight exceptional children.

ALASKA

ELIGIBILITY

The commissioner may establish special education routes if there are five or more students who qualify for special education or if there are fewer than five qualified students who because of the nature of their physical and/or mental handicaps cannot be feasibly transported on regularly established routes. A special education route must be terminated if the number of students to be transported falls to three or less during the last two months of the school year.

TRANSPORTATION SERVICES

Public day school; out-of-state programs.

TRANSPORTATION MODES

School buses owned by the district or by private contractors may be used. Public carriers may also be used. Payments may be made to parents if transportation is not provided.

PERSONNEL

An aide may be assigned to the driver of a school bus; reimbursement is provided if the services were previously justified in writing and approved by the commissioner.

STATE AID

School districts are reimbursed on a unit cost basis. When transportation is provided, exceptional children must, whenever practicable, be transported separately from other children.

CAPITAL OUTLAY AID

Districts which own or purchase transportation vehicles may include the purchase costs as a part of their claim for reimbursment. Claims must include justification of the capital expenditure and are subject to approval of the commissioner.

ALASKA

If approved the reimbursement is limited to 90% of the total purchase price of each vehicle and must be paid as follows: first year 20%; second year 15%; third and fourth years 12.5% each; fifth, sixth and seventh years 10% each.

ARIZONA

No special information regarding transportation of handicapped children.

ARKANSAS

TRANSPORTATION SERVICES

Transportation to out-of-state schools for deaf-blind children. Transportation is provided to public school programs.

STATE AID

The state school for the blind may expend any available funds for transportation of deaf-blind children.

CALIFORNIA

ELIGIBILITY

Blind, deaf, aphasic, orthopedic or other health impaired, multiply handicapped, mentally retarded, and physically handicapped children who are handicapped in mobility are eligible for services.

TRANSPORTATION SERVICES

Transportation is provided to the state schools for the deaf and blind, and to day classes in other locations for all eligible children. County superintendents maintaining programs may provide transportation instead of entering an agreement with the school district of residence. Transportation to development centers for handicapped children is also included.

The school district of residence ususally provides the transportation.

TRANSPORTATION MODES

School buses.

EQUIPMENT AND SAFETY DEVICES

Special vehicles may be used for children who require them.

STATE AID

The state annually reimburses $389 for each unit of average daily attendance. If children require special vehicles, 75% of any expense in excess of $389 may be allowed, but not exceeding $73 per unit of average daily attendance.

COLORADO

TRANSPORTATION SERVICES

Inter- or intra-district transportation to attendance centers is furnished.

TRANSPORTATION MODES

School bus or private vehicle complying with state regulations for school buses.

EQUIPMENT AND SAFETY DEVICES

Regular or special school buses may be used.

STATE AID

State reimburses district 50% of costs after other state funds are deducted, including transportation funds.

CONNECTICUT

TRANSPORTATION SERVICES

Transportation is furnished for children attending special classes, work experience programs, special programs in other school districts, or approved private special education programs.

TRANSPORTATION MODES

School buses.

STATE AID

When providing special educational services,town or regional school boards must provide transportation. For state reimbursement purposes transportation is considered part of the net cost of providing special education except when children ride on a bus with regular class pupils.

DELAWARE

ELIGIBILITY

The state board makes rules and regulations for the transportation of handicapped gifted and talented children.

TRANSPORTATION SERVICES

Regulations imply that transportation is furnished only within the state to both day classes and residential facilities in the public school system.

TRANSPORTATION MODES

School buses, carry-alls, station wagons.

DELAWARE

PERSONNEL

Each school bus for orthopedically handicapped or trainable mentally handicapped children must have an attendant. Carry-alls or station wagons need not have an attendant, unless a special case, i.e., a blind or non-ambulatory student, makes an exception necessary. Bus attendants should be employed as a part of the transportation system and will have no other school duties.

FLORIDA

ELIGIBILITY

The two-mile distance limitation does not apply to the transportation of handicapped pupils.

TRANSPORTATION SERVICES

Law implies that transportation is authorized to public schools only.

STATE AID

Transportation is funded through the minimum foundation program. When authorized by state board regulations, in place of an average daily attendance apportionment, $1,250 is allowed for each bus used exclusively for transporting 10 or more pupils classified as exceptional children to a public school.

GEORGIA

TRANSPORTATION SERVICES

Transportation is provided for children attending special classes either in or out of their district of residence. Transportation is not provided to the Georgia Academy for the Blind.

STATE AID

Transportation, approved by the local committee, is wholly reimbursed by the state when funds are appropriated. Special payments are made by the state to county school systems to provide transportation of pupils from one county to another in order to attend classes not available in the county of residence. However, such payments are not authorized to independent city school systems.

HAWAII

ELIGIBILITY

The department of education may provide transportation to exceptional children in grades kindergarten through 12. Transportation must be arranged for children in cases where the local school is unable to provide adequate instruction to compensate for specific handicapping conditions.

IDAHO

ELIGIBILITY

The one and one-half mile limit for providing transportation may be waived by a school district board of trustees if the age or health of a pupil warrants it.

TRANSPORTATION SERVICES

Transportation is provided to and from special day classes and the state school for the deaf and blind.

ILLINOIS

ELIGIBILITY

Any child who has been declared eligible for and enrolled in an approved special class or facility for exceptional children may be eligible for special transportation. Any physically handicapped child who can attend a regular class may qualify for special transportation only upon the certification of medical eligibility as determined by a licensed medical examiner.

TRANSPORTATION SERVICES

School districts entering into joint agreements to provide special education must provide for transportation as part of the agreement. School districts provide transportation to special private day schools, as well as to their own schools.

TRANSPORTATION MODES

School buses.

STATE AID

The state reimburses four-fifths of the cost of transportation for those physically handicapped, maladjusted, educable and trainable mentally handicapped, speech defective, and multiply handicapped children whom the superintendent of public instruction has determined in advance require special transportation services to take advantage of special education facilities. Transportation costs are limited to expenditures other than costs of acquiring equipment, interest, and rental of facilities and will include a reasonable allowance of depreciation to be computed in accordance with the regulations of the superintendent of public instruction.

INDIANA

TRANSPORTATION SERVICES

Transportation is provided for work experience programs.

For transportation from home to school, only one round trip each day will be approved, with actual cost of transportation not to exceed $2 per pupil per day.

For preschool deaf children each school corporation selects the mode of transportation which best meets the particular need and meets the appropriate state standards.

INDIANA

TRANSPORTATION MODES

Transportation for children in the preschool program for deaf children may be furnished by:

1. Hiring a person to transport all the preschool children in the program.
2. Parents forming car pools.
3. Using school buses, if possible, a parent or adult other than the driver chaperones.

STATE AID

The Division of Special Education may from appropriated funds legally reimburse to school corporations 80% of approved special transportation costs for the work experience program, and for:

1. Special programs for the physically handicapped, including the visually handicapped, the hearing impaired, and those with special health problems.
2. Handicapped pupils who attend special classes outside their normal school attendance area.
3. Handicapped pupils legally transferred to special classes.
4. Crippled children or those children with special health problems who are able to attend regular classes if special transportation is provided.

IOWA

ELIGIBILITY

Programs including transportation may be established for individual children.

TRANSPORTATION SERVICES

Transportation to and from a public school facility offering a special program if regular school bus transportation is not available at that time. Special transportation may include transporting children to another school district for special education services, as well as transporting handicapped pupils in and about the school (carrying, lifting, etc.).

TRANSPORTATION MODES

School buses or (if it is more economical or a child's physical or mental handicap makes it unsafe for them to be transported by bus) special contract with private carriers.

STATE AID

Provision is made to reimburse excess costs involved in providing special transportation, including special transportation in and about the school to the school system providing services. This is included with reimbursement for other excess costs.

KANSAS

TRANSPORTATION SERVICES

Transportation for examination by a educational clinical team; transportation for resident or non-resident children in school districts and cooperative programs; transportation of deaf-blind and other severely handicapped children to a public or private program within or without the state. Transportation for speech therapy is permissible but should be avoided when possible.

STATE AID

For educable or trainable mentally retarded children, the school district of residence pays all transportation costs from its general fund, special education fund or two or more of these funds. This does not prevent a district providing special education classes from furnishing transportation with its own school bus without cost to the child's district of residence in lieu of room and board. The state reimburses 50% of approved transportation expenses up to a maximum of $250 per child.

The state department of public instruction provides funds for sending deaf-blind or otherwise severely handicapped children to facilities, schools or institutions.

KENTUCKY

TRANSPORTATION SERVICES

Transportation to classes in another school district is paid for by the district of residence, cost not to exceed $300 for one school year, unless the school board of the other district provides this transportation to the class, in which case the cost transportation will be included in the total cost of the special education facility.

The state department of education is authorized to spend available funds to send deaf-blind children to any facility in or out of state, and may expend funds for transportation.

Necessary transportation may be provided to handicapped children regardless of the distance they live from school.

LOUISIANA

No special information regarding transportation of handicapped children.

MAINE

TRANSPORTATION SERVICES

The state pays all transportation expenses of children sent to out-of-state schools for the blind.

Local administrative units provide transporation for all other special education programs.

MAINE

TRANSPORTATION MODES

School buses, public carriers or parent transportation to out-of-state schools for blind children.

STATE AID

The state reimburses each administrative unit a percentage of its expenditures for transportation, on a sliding scale depending upon the per pupil valuation of property in the unit as follows:

Per Pupil Valuation= State Valuation ÷ Resident Pupils April 1 in Year Preceding the Convening of the Legislature	State Percentage Share of Transportation Costs of Handicapped Pupils
$26,000 and over	13%
25,000 -- 25,999	17%
24,000 -- 24,999	20%
23,000 -- 23,999	23%
22,000 -- 22,999	27%
21,000 -- 21,999	30%
20,000 -- 20,999	33%
19,000 -- 19,999	37%
18,000 -- 18,999	40%
17,000 -- 17,999	43%
16,000 -- 16,999	47%
15,000 -- 15,999	50%
14,000 -- 14,999	53%
13,000 -- 13,999	57%
12,000 -- 12,999	60%
11,000 -- 11,999	63%
10,000 -- 10,999	67%
9,000 -- 9,999	70%
8,000 -- 8,999	73%
7,000 -- 7,999	76%
6,000 -- 6,999	80%
5,000 -- 5,999	83%
4,000 -- 4,999	87%
3,000 -- 3,999	90%
2,000 -- 2,999	93%
0 -- 1,999	97%

MAINE

CAPITAL OUTLAY

The state reimburses administrative units for capital outlay for school bus purchases on the same percentage basis as other transportation expenses.

MARYLAND

TRANSPORTATION SERVICES

Boards of education are responsible for providing transportation in conjunction with special education programs in conjunction with public school programs, the cost being charged to the general transportation fund. Transportation to private schools and out-of-state public schools will also be provided, if enrollment in such schools has been approved.

STATE AID

Districts must pay for transportation out of the state per pupil expenditure for special education.

MASSACHUSETTS

TRANSPORTATION SERVICES

Any school committee arranging for special educational services will pay for transportation necessary to provide these services.*

[Travel expenses, daily or otherwise, to private schools or institutions (in-state or out-of-state) will be paid by the state. However, parents may be required to reimburse the state for all or part of the cost.] Transportation of children to and from approved pre-nursery programs conducted by the department of mental health may be reimbursed.

If a school age child with special needs attends a school approved by the department within or out of the city or town of residence of the parent or guardian, the school committee of residence may be required to provide transportation once each day including weekends, wherever applicable to and from school. When a child is in attendance, reimbursement as above will be provided to the city or town providing transportation.*

TRANSPORTATION MODES

A. School buses

B. Payments to parents:

1. It is the responsibility of the parent or guardian of any handicapped child attending a private school or institution at public expense, to utilize the safest, most economical method of transportation when long distances are involved. Detailed costs of alternate methods must be submitted in advance to the division of special education which will approve that method best meeting these requirements. Unless such prior approval is obtained, reimbursement cannot be made.

2. A rate of five cents per mile round-trip for the use of private automobile is allowed, if this method of transportation meets the requirements.

* New law which goes into effect September, 1974.

[] Provisions repealed as of September, 1974.

MASSACHUSETTS

3. Individual statements listing precise daily expenses by category (breakfast, dinner, train fare and motel fees) must be submitted in triplicate to obtain reimbursement. Transportation taxes cannot be reimbursed; tax exemption slips are available on written request.

4. Only in exceptional cases will overnight lodging and expenses be approved.

5. In every case, only ordinary and reasonable expenses will be approved.

6. Reimbursement may be obtained for a maximum of three home visits annually-Christmas Vacation, Easter Vacation, and Summer Vacation. No reimbursement is possible for parent visits to the school.

STATE AID

[Cost of transportation for programs for the deaf or hearing impaired will be paid by the state from the local aid fund subject to appropriation.] The state reimburses 50% of "ordinary and reasonable" transportation costs to cities and towns providing educational programs for physically and mentally handicapped persons.

MICHIGAN

TRANSPORTATION SERVICES

Local district contracts providing for services or programs must specifically provide for transportation or room and board or both.

Local boards may presently provide, and for the 1973-74 school year must provide transportation by a contractual or other arrangement for handicapped persons who without such transportation would be unable to participate in an appropriate special program operated or contracted for by local districts.

STATE AID

School districts providing transportation to mentally handicapped, physically handicapped, emotionally disturbed or day students at the schools for deaf and blind children may receive up to 75% of the costs but not exceeding $200 per pupil living more than 1-1/2 miles from the school they attend unless the superintendent of public instruction determines that the pupil cannot safely walk to the school, in which case the 1-1/2 mile requirement will be waived.

MINNESOTA

ELIGIBILITY

Educable handicapped and trainable mentally retarded children who cannot be transported on the regular school bus may be furnished special transportation.

TRANSPORTATION SERVICES

When services are provided in another district, the child's district of residence will pay transportation, including transportation to and from school and the place

where the child is boarded, and will be eligible for state transportation reimbursement.

Transportation for handicapped children may be furnished between home and school and within the school plant, and between home and a licensed state activity center.

Parents must furnish transportation to the Minnesota Braille and Sight Saving School and the Minnesota School for the Deaf.

TRANSPORTATION MODES

Children may be transported by school buses either owned or rented by the school district or by contract with a private contract hauler or parent.

STATE AID

The state reimburses actual transportation costs, but not exceeding $225 per pupil annually or $1.35 per day to districts providing special transportation to mentally retarded or otherwise handicapped students when approved by the state board. The school district must have paid the cost of transportation before it receives reimbursement aid.

Additional reimbursement may be allowed for transportation of a pupil between a boarding home and the school he attends, but reimbursement for transportation of such a pupil between his resident home and his non-resident place of boarding will not be allowed.

When two or more children from the same family residence are transported by the parent or guardian to the same school in a family vehicle, cost for reimbursement aid is to be calculated on the basis of one child only.

MISSISSIPPI

TRANSPORTATION SERVICES

Children who are physically handicapped or crippled may receive transportation to the public schools, regardless of the one mile transportation limitation, if the failure to provide it would result in undue hardship.

STATE AID

The state board may reimburse districts for any expense incurred in transporting exceptional children.

MISSOURI

TRANSPORTATION SERVICES

Special school districts may provide transportation to all handicapped children receiving special education services.

STATE AID

State aid is provided to school districts providing transportation to exceptional children.

MONTANA

TRANSPORTATION SERVICES

Local and to facilities elsewhere in the state that meet the child's needs.

STATE AID

The state will reimburse the school district two-thirds of the approved transportation, and the county will reimburse the remainder, according to a schedule established by the state superintendent.

NEBRASKA

TRANSPORTATION SERVICES

Transportation to a residential school, a program in another school district, or in the district of residence. If a trainable mentally handicapped child attends a program in another school district.

TRANSPORTATION MODES

Payment to parent or guardian of not more than $400 for transportation of one or more trainable mentally handicapped children to a program outside the school district; payment of travel expenses to residential institutions or schools for the deaf and the visually handicapped where the daily levy is paid by the state. Parents or guardians of such children who are wholly or partially able to provide transportation may be required to reimburse the state.

Boards of education must furnish one of the following types of education to resident handicapped children:

1. They may pay the per pupil cost of programs in any other district or educational services unit and provide for transportation expenses. Parents may be reimbursed for transportation expenses up to $400 per year. If a parent has more than one handicapped child enrolled in a program at the same location, the aggregate amount of payments may not exceed $400.

2. They may provide for transportation expenses within the school district for deaf, visually handicapped, orthopedically handicapped, trainable mentally retarded, seriously emotionally disturbed, specific learning disability, or other handicapped children enrolled in a special program in the district, and for whom transportation is required. A parent or guardian transporting a child is paid for each day for attendance $.40 per mile between the residence and the school, but not exceeding $400 per year. If the parent or guardian has more than one child enrolled in a program at the same location, the aggregate amount will not exceed $400.

3. Districts might also provide for transporting children enrolled in the Nebraska School for the Deaf and the School for the Visually Handicapped by reimbursing parents or guardian for expenses. This reimbursement is paid at the rate of $.40 per mile for the distance between the place of the residence and the state operated school. The payment to the parent or guardian shall be limited to an amount determined by no more than five trips per year and not to exceed $400 per year. Payment to the parent or guardian of a deaf or visually handicapped child transporting the child

daily is limited to the number of days of attendance. Any parent or guardian having more than one deaf or visually handicapped child shall be limited to an aggregate amount not exceeding payment based upon the transportation of one child enrolled in the state operated school for the deaf and visually handicapped the greatest distance from his place of residence but not exceeding $400 per year.

STATE AID

The state department of education may grant funds to school districts or educational service units for transportation.

NEVADA

TRANSPORTATION SERVICES

"Transportation may be provided to pupils attending special schools or classes for the handicapped."

Transportation for orthopedically handicapped children is provided between the home and the school.

TRANSPORTATION MODES

School buses.

EQUIPMENT AND SAFETY DEVICES

School buses carrying orthopedically handicapped children must have elevators and special seating for comfort and safety (securing wheelchairs).

NEW HAMPSHIRE

ELIGIBILITY

The child must be able to be transported from home to the place of instruction or training.

TRANSPORTATION SERVICES

The school board will furnish suitable transportation to all handicapped children able to be transported from their home to the places where instruction or training is furnished. The responsibility of the school districts for transportation may not exceed, per pupil, an amount equal to the responsibility of the district for tuition.

If the cost of transportation constitutes an unreasonable expense, the school board, at the expense of the local district, may board the child near the place where the instruction or training is furnished and provide transportation from the place where the child is boarded to the place of instruction or training. If, in the judgment of the school board the circumstances warrant, the school district may pay for transportation at a higher per pupil rate than that specified.

Where the cost of such transportation would constitute an unreasonable expense the school board shall, at the expense of the district, board the children near the place where such instruction or training is to be furnished and shall provide

transportation from the place where the children are boarded to the place of instruction or training. A school district may pay for transportation at a rate per pupil higher than the amount of liability for tuition as specified by law, when in the judgment of the school board the circumstances warrant it.

EQUIPMENT AND SAFETY DEVICES

Special equipment for handling wheelchairs, special seats, and other special equipment may be provided.

NEW JERSEY

TRANSPORTATION SERVICES

The board of education will furnish daily transportation to all handicapped children who qualify.

Any two or more districts may provide transportation under the terms of the agreement adopted in resolutions by all involved boards of education, setting forth the essential information concerning the facilities, examinations, or transportation to be provided. Cost will be apportioned among the districts. All agreements must be approved by the commissioner.

STATE AID

The school district providing transportation will receive state aid for 75 percent of the cost if the necessity for this transportation and the cost and method of transportation has been approved by the county superintendent.

NEW MEXICO

No special information regarding transportation of handicapped children.

NEW YORK

TRANSPORTATION SERVICES

Local boards of education are required to furnish transportation to schools unless home teaching is provided. The state department of education has the power and duty to provide transportation within the limits of appropriations, when it is not otherwise provided.

STATE AID

The state reimburses 50% of the cost of providing transportation.

NORTH CAROLINA

ELIGIBILITY

Children with special needs, such as the mentally retarded and physically handicapped, and children enrolled in programs requiring transportation from the school during the school day, such as special vocational or occupational programs.

TRANSPORTATION SERVICES

Transportation to and from school for children with special needs, and transportation to and from special programs during the school day.

TRANSPORTATION MODES

(Determined by local board)

PERSONNEL

(Determined by local board)

EQUIPMENT AND SAFETY DEVICES

(Determined by local board)

STATE AID

The state pays for transportation; if state funds are insufficient for the transportation approved by the local board, local funds may be used.

NORTH DAKOTA

ELIGIBILITY

The child must be enrolled in the public schools of the district providing the transporation.

TRANSPORTATION SERVICES

Transportation to a special class within a school district, or to another school district for children who must attend a special class there.

Transportation to an out-of-state day or residential program for deaf-blind children. Transportation for indigent children to and from the state school for the deaf.

TRANSPORTATION MODES

School buses; parents of rural children receiving speech therapy in a county program.

STATE AID

For children attending classes in their district of residence, transportation is included with other expenses in determining state reimbursement. The local school may request reimbursement for funds expended not to exceed the amount of $35 per child per month for children who must attend a special class outside of their own school district. This is not available where transportation of other children from the

district is accessible and practical for the child under special education nor when attendance in a special class or service involves less than a full school day instructional program.

Reimbursement for transportation will be figured on the basis of distance, necessity and other factors.

Each county must transport indigent children to the state school for the deaf at its own expense.

OHIO

ELIGIBILITY

Severely multi-handicapped children who require the driver to leave his driving position for an extended period of time may, after conference with the Administrator and parents, be excluded from transportation services.

TRANSPORTATION SERVICES

1. Transportation may be approved for physically handicapped children attending a special class program approved by the Division of Special Education.
2. Transportation may be approved for physically handicapped children attending a regular class in public and/or parochial school.
3. Transportation may be approved for emotionally handicapped children only when attending a special class program for emotionally handicapped approved by the Division of Special Education.
4. Requests for transportation for less than two months duration must not be approved by the Division of Special Education.
5. The superintendent of schools (or his designated representative) must sign all applications for transportation of handicapped children.
6. Students in secondary work-study programs for the slow-learning may be furnished transportation to and from work by the school board in a donated station wagon.
7. The county welfare agency must provide transportation for all individuals enrolled in the Community Class Program.

TRANSPORTATION MODES

Transportation may be provided in school buses or other vehicles owned and operated by the county, vehicles owned and operated by a contractor, vehicles owned by a public utility, vehicles owned by a licensed taxicab company, or vehicles owned by a private owner who is paid on a per diem or mileage basis.

For secondary work-study programs, transportation may be provided as follows:

1. student car pool
2. parent car pool
3. students hire an adult (with chauffeur's license) to deliver and pick then up daily.
4. Solicit the donation of a station wagon from a local auto dealer, and the school employ the driver.

OHIO

PERSONNEL

Pupils may be assigned as guides to handicapped children by public carriers (bus); the school district pays the cost of transportation for the guides and for the handicapped pupils.

EQUIPMENT AND SAFETY DEVICES

Mentally Retarded: The Administrator must see that safe and satisfactory equipment is ready for the class year. Evidence of approved safety inspection must be forwarded to the Department of Mental Hygiene and Correction with the "Transportation Report".

The Administrator must inspect these buses regularly and shall familiarize himself with all routes or order extra trips to prevent overloading or excessive time required of children on the bus. No bus route shall be of such length that any child is required to spend more than ninety minutes on the bus.

Before starting on a route to pick up or discharge children, the drive must check headlights, tail and stop lights, warning lights, directional signal lamps, and other essentials as required by the Administrator.

Every child must be seated in an assigned seat. No vehicle shall be overloaded. A vehicle is considered overloaded when the load is in excess of ten percent (10%) of the rated seating capacity of the vehicle.

STATE AID

1. Contract or Board-Owned Vehicles

a. The Division of Special education may approve for reimbursement the actual costs of transportation up to $2.00 per day per child in average daily membership and one half of the actual cost in excess of $2.00 per day.

2. Other Reimbursable Costs

a. The Division of Special Education may approve for reimbursement the actual costs of transportation on public transportation.

b. The Division of Special Education may approve for reimbursement the actual costs for guide service for visually handicapped children, not to exceed $1.25 per day per child.

OREGON

STATE AID

School districts may receive reimbursement for excess costs involved in providing transportation for handicapped children when such transportation is different from that regularly provided for children in the district.

OKLAHOMA

ELIGIBILITY

For special transportation within the school district, the child must not be able to use the regular school transportation system to reach the building where special services are provided, and services must be unavailable in the school which the child would normally attend. The distance from home to the school to be attended must be greater than 1-1/2 miles. The 1-1/2 mile limit does not apply for physically handicapped children being transported to regular classes.

TRANSPORTATION SERVICES

Transportation may be furnished to special programs within the district or in another district, and to regular programs within the district for physically handicapped children who would otherwise be unable to attend the regular district school.

TRANSPORTATION MODES

Children may be transported in public school buses or by a private carrier.

STATE AID

Reimbursement of inter-district transportation for exceptional children will be made when a school district providing special education services pays the transportation costs of the transferred pupil being transported from a point in another district to its own special education school or class.

When a school district providing special education services pays the transportation cost of a transferred pupil being transported from a point in another district to its own special education school or class, that school district may be reimbursed for the actual costs when a public carrier is employed. If a private carrier is used, the district may be reimbursed at a rate not to exceed six cents (6¢) per mile to and from the school and the total annual reimbursement shall not exceed $450.00 per child. When more than one (1) child is transported in the same private vehicle, an additional charge not to exceed three cents (3¢) per mile per child may be made. Individual cases will be considered on their merit.

Reimbursement of intra-district transportation for exceptional children will be made according to the following regulations: services are not available in the school which the child would normally attend; the child cannot use the regular school transportation system to reach the building where special services are provided; distance must exceed 1-1/2 miles from home to school to be attended.

Reimbursement- The school district may be reimbursed for the actual cost when a public carrier is employed. If a private carrier is used, the district may be reimbursed at a rate not to exceed six cents(6¢) per mile to and from school, and the total reimbursement shall not exceed fifty dollars ($50.00) per month or four hundred fifty dollars ($450.00) per child per year. When more than one child is transported in the same vehicle, an additional charge of not more than three cents (3¢) per mile per additional pupil may be made.

OKLAHOMA

Transportation to Regular Class: When a physically handicapped child unable to attend any school or class in the district of which he is a resident is provided transportation to attend the regular school in the district where he is a resident, reimbursement for these services not in excess of four hundred fifty dollars ($450.00) will be made by the division of special education. Individual cases will be considered on their merits.

PENNSYLVANIA

TRANSPORTATION SERVICES

Districts will pay for transportation of children by an intermediate school district in an amount determined by subtracting from the cost of transportation the per pupil reimbursement due the district for transportation.

STATE AID

State reimburses 50% of transportation expenses.

RHODE ISLAND

TRANSPORTATION SERVICES

School committees of all cities and towns must provide for the transportation to and from school either within the school district or in another school district of the state for all handicapped children.

Transportation will be provided to all mentally retarded pupils attending special classes or special day schools. Also, for the purposes of furnishing transportation and of providing incidental expenses for the education of mentally retarded children until age 18, a center approved by the assistant director of health and mental retardation will be decreed to be a school.

A community may pay tuition and transportation costs to a sheltered occupational training center approved by the Commissioner of Education as a practical substitute for the education of a trainable retarded child sixteen to twenty-one years of age.

All exceptional handicapped children must be provided free transportation to and from home to the special education program in which they are enrolled with the following exceptions:

1. Transportation to and from home to hospitals or residential schools where the children will reside overnight.
2. Transportation to and from home to clinical facilities for the purposes of medical or psychological evaluation or therapy.

EQUIPMENT AND SAFETY DEVICES

Vehicles used for the transportation of exceptional handicapped children must comply with all safety regulations required for pupil transportation and must have seat belts which must be used to secure the children while the vehicle is in motion.

RHODE ISLAND

STATE AID

In providing transportation, cities and towns will be reimbursed by the state in an amount not exceeding 50% of the cost if the program has been approved by the state board.

SOUTH CAROLINA

ELIGIBILITY

The General Assembly makes annual appropriations for the transportation of hearing handicapped, orthopedically handicapped, trainable mentally handicapped, and visually handicapped children.

TRANSPORTATION SERVICES

Transportation is provided to special programs within the school district or in another school district.

STATE AID

When a district contracts with another district or an institution for special education services and pays it for transportation, it will be reimbursed by the state department of education for this and other costs up to the cost of educating a handicapped child in a public school.

a. Each school district operating a program for trainable mentally handicapped and/or physically handicapped children approved by the state department's of education program for exceptional children, may be reimbursed for the cost of transporting such pupils at the rate of $70 per pupil per year or the cost of such transportation, whichever is the lesser amount. If the request for funds exceeds the appropriation, a prorata share will be distributed.

b. The funds may be used only for transportation of eligible pupils.

c. To qualify the pupil must be enrolled for at least 35 days in a class for orthopedically handicapped pupils approved by the state department's of education program for exceptional children.

d. At the beginning of the school year the district superintendent must submit to the state department's of education program for exceptional children, a general plan of transportation and an estimate of the cost of such transportation for approval. At the end of the school year a detailed statement of expenditures and a request for reimbursement must be submitted to the program for exceptional children. After approval of the reimbursement request the funds are forwarded to the county treasurer to the credit of the school district.

TENNESSEE

ELIGIBILITY

For special transportation, children must be "unable to use public transportation."

TENNESSEE

TRANSPORTATION SERVICES

Special transportation may be provided by school districts either individually or cooperatively, or through special education services associations.

STATE AID

The state, in addition to minimum foundation program funds, provides reimbursement for excess costs, including special transportation, equipment, and instructional materials.

CAPITAL OUTLAY AID

"The state department upon a properly substantiated claim shall pay 100% of the cost of special buses and other special equipment actually employed in transporting handicapped children."

SOUTH DAKOTA

TRANSPORTATION SERVICES

School district is responsible for transportation to another public school district, and will pay parents 7¢ a mile.

TRANSPORTATION MODES

Payment of mileage to parents to transport children for ancillary services, such as speech therapy and to full-time special education programs.

STATE AID

Costs for basic extra and necessary transportation will be determined and authorized by the district of residence. Extra necessary transportation costs for exceptional children includes transportation allowing children to attend school and participate in auxiliary services to which they have been assigned and will be the responsibility of the school district.

If transportation is not provided by the school district of residence, reimbursement at the rate of seven cents per mile not to exceed $600 per fiscal year will be granted to the district of residence which will pay costs of its special education fund.

TEXAS

ELIGIBILITY

To be eligible for special transportation, children must be unable to attend the program unless such transportation is provided.

TRANSPORTATION SERVICES

Pupils unable to utilize regular transportation are provided special transportation to assist them to receive educational services. The local school district:

- establishes the pupil's need for special transportation;
- provides the type and kind of special transportation needed.

TEXAS

STATE AID

The annual special transportation allotment will be $150 per exceptional child receiving such transportation. This is paid to the school district in two installments.

UTAH

No special information regarding transportation of handicapped children.

VERMONT

ELIGIBILITY

Need for special transportation is determined by the division of special educational and pupil personnel services.

TRANSPORTATION SERVICES

It is the responsibility of the child's district of residence to see that suitable transportation is supplied for each child needing such transportation.

STATE AID

Necessary transportation costs for attendance at special day or residential centers up to $100 per year will be reimbursed.

VIRGINIA

ELIGIBILITY

All children attending special education programs are entitled to transportation to and from class at public expense.

TRANSPORTATION SERVICES

If a child, because of physical incapacity or mental retardation, is unable to use existing transportation facilities, or if facilities are unavailable, the school board may allot funds to assist in paying the cost of the means of transportation.

TRANSPORTATION MODES

Law implies that if the child cannot use the regular school transportation system, the state may choose and pay for any other means of transport.

STATE AID

The state reimburses 60% of transportation expenses, subject to availability of funds. The cost cannot exceed an amount approved by the state board.

WASHINGTON

ELIGIBILITY

All handicapped children who are not ambulatory or capable of protecting their own welfare while traveling to and from school or the agency providing the special educational services, are provided with transportation at school district or districts' expense.

TRANSPORTATION SERVICES

Transportation to school may be authorized. No district is required to transport any handicapped child living within two miles of the school the child is attending.

TRANSPORTATION MODES

School districts may lease school buses to nonprofit organizations to transport handicapped children to and from the site of beneficial activities. If commercial bus transportation is not reasonably available for these purposes, leases may be authorized by the special education directors of school districts, if they do not conflict with regular school purposes. Special education directors may establish the criteria for the bus use and lease including minimum cost and driver requirements.

WEST VIRGINIA

TRANSPORTATION SERVICES

County boards are responsible for providing special transportation, when necessary for handicapped children. These children may also use regular school bus transportation.

WISCONSIN

ELIGIBILITY

The state superintendent's approval of special transportation will depend upon whether the child can walk to school in safety and comfort.

Children enrolled in pre-school programs who are to be transported by other than their parent must conduct themselves in the moving vehicle without endangering other occupants or the driver's ability to safely operate the vehicle.

TRANSPORTATION SERVICES

If a handicapped child receives services in a school district other than his district of residence, the division is responsible for making or approving arrangements for transportation to and from home to the special class or to and from his boarding home on school days to the special class.

Every school board must provide transportation to any elementary or high school, or to the school for the visually handicapped or the school for the deaf, regardless of the distance, if the state superintendent approves the request for transportation.

Handicapped pupils may be transported to regular or special education programs in private or parochial schools.

WISCONSIN

Daily transportation to the orthopedic school from the boarding home or the child's own home within the city of the school's location is provided by the local school system with state financial assistance for children living or boarding within the orthopedic school district.

For children living in their own home but outside the orthopedic school district, the district of the child's residence is responsible for arranging the daily transportation. These arrangements are approved by the department of public instruction through the division for handicapped children. The cost to the district is reimbursed in part by state aid.

The bureau of special education of the division for handicapped children's services may provide transportation for:

1. physically handicapped children to regular classes.
2. handicapped children to Wisconsin Children's Hospital (financing and approval)
3. handicapped children to local day care programs when local districts classify these programs as "schools".

The public school may elect to transport handicapped children in early education programs to private school centers and receive special transportation aid from the department of public instruction.

Upon the advance approval of the state superintendent the school board of any district may permit a handicapped child to attend a special school, class or center outside the state. If the child resides in a county having a population of less than 500,000, the county of residence must pay the tuition and transportation in accordance with the procedures established for the payment of tuition by the county under sub. (3). If the child resides in a county having a population of 500,000 or more, the school district of residence must pay the tuition and transportation in accordance with the procedure established for the payment of tuition by the school district.

A recent opinion from the Attorney General's office date May 25, 1971 reaffirms the department's position that transportation is a local school district responsibility when the child has been declared eligible by the Department of Public Instruction for appropriate pre-school services for handicapped children. In the case of enrollment as a non-resident, enrollment size of the operating district's pre-school program must permit the child's inclusion in the program.

In the state superintendent's approval of transportation of handicapped pre-school children the reasonableness of length of the haul from home to school shall be considered. Regular transportation guidelines encourage no more than 45 minutes one way for elementary age non-handicapped pupils nor one hour for secondary age regular pupils. Even though pre-school handicapped pupils would presumably possess less maturity or tolerance for lengthy transportation hauls than regular pupils, the department will tentatively consider approval of transportation contracts up to a one-way haul of one hour's duration. Shorter periods of time than this outside maximum are strongly encouraged.

Transportation arrangements shall be designed to protect the safety and interests of both the pre-school handicapped child and other children. In certain instances this may entail special transportation arrangements beyond those normally provided other children in the district.

WISCONSIN

TRANSPORTATION MODES

Transportation may be provided by written contract with private carriers.

Where feasible, parent transportation of pre-school handicapped children should be encouraged by the school board of the district of residence, or the county handicapped children's educational board, and such boards must contract with the parent to provide such transportation. It is anticipated that requests for reimbursement by parent transporters shall be reasonable and suggested maximum rate would approximate 10 cents per mile. The resident school district is responsible for providing transportation for such handicapped children and, where parent transportation is utilized for establishing the amount of compensation to be designated in the contract.

Parent transportation is only one mode of transportation for pre-school handicapped children and when a parent refuses to transport his pre-school handicapped child the district must find other means of transportation.

Physically handicapped children attending an orthopedic school are transported by school buses and taxicabs.

EQUIPMENT AND SAFETY DEVICES

Some school buses used for transporting physically handicapped children have special construction to accommodate wheelchairs.

STATE AID

The state vocational rehabilitation agency may pay costs of transportation for physically and mentally handicapped persons in vocational rehabilitation programs, the amount to be contingent upon financial need.

State reimbursement for parent transportation of handicapped children shall be based on the amount approved in advance by the state superintendent through the division.

When daily transportation of deaf, hard of hearing or visually handicapped children to and from a day program is furnished reimbursement is based on a formula which calls for a sharing of costs between the division for handicapped children and the child's district of residence.

Counties providing transportation and school districts transporting children to special classes in another district may have transportation claims approved on a sliding scale basis based on distances from the home to school. After general aids are paid, a 70% prorata approval is applied to the special transportation aid claim. In these instances, preliminary reports of children to be transported are submitted and are claimed at the close of the school year. These transportation claims are not included in the end-of-year annual financial reports submitted on classes operated.

State general transportation aids are paid initially followed by 70% of the remaining costs from special aids for handicapped children providing the actual daily rate does not exceed the following maximum gross daily contract cost:

$1.40 for distance of 0-5 miles
$2.00 for distance of 5.1-10 miles
$2.50 for distance of 10.1-20 miles
$3.00 for distance of 20.1 miles and over

WISCONSIN

If the maximum rate is exceeded, the county or district of residence requesting approval shall be fiscally responsible for all costs beyond the maximum ceilings. The county or district does not match the general transportation aids. If the actual daily rate is less than the listed maximum, the county or home district requesting reimbursement will receive general transportation aids and 70% of the balance after general aids are transportation aids. If the actual daily rate is less than paid. This same procedure is applied to parochial school pupils being transported to parochial school classes or centers.

Parent transportation is handled in the same way as described above except that the parent is contracted with as the carrier. The same sliding scale referred to above which is used to determine county and sending district reimbursements for transportation should be used as a guide in contracting with parent carriers. In situations where parent transportation is used to assist a pupil in getting to a school bus route, that portion of district reimbursement to the parent carrier should be included in the total transportation claim made by the district against the state appropriation.

In a few select cases it may be necessary to provide transportation services for non-resident pupils boarding within the operating district to enable the child to reach school from the boarding home. Transportation aid from the place of board and lodging to the special class is approved and charged to the general transportation aid. Any supplementation of costs beyond the amount received under general transportation aids shall be charge in full to special transportation aids and this is a nonprorata item, since the operating district is utilizing its funds to assist a non-resident child. There are no funds available for weekend transportation to and from the child's residence to the boarding home as this would represent a third transportation claim.

WYOMING

STATE AID

School districts receive state reimbursement not exceeding $75 per month per child for transportation and maintenance. A greater minimum may be approved for an isolated elementary or high school child, if it would be more economical to provide transportation than to establish a school.